

Longworth
P R O D U C T I O N S

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MAY 30 2012

FCC Mail Room

case identifier: CGB-CC-0123

"Triad Today"

Office of the Secretary
Federal Communications Commission
Attention: Disability Rights Office
Room 3-B431
9300 East Hampton Drive
Capitol Heights, MD 20743

Memo to: Commission Secretary or Kris Anne Monteith
from: Jim Longworth
date: June 1, 2012
re: Affirmation of Pending Petition for
Closed Captioning Exemption (for "Triad Today")
case ID: CGB-CC-0123

Dear Ms. Monteith or Commission Secretary,

Thank you for the opportunity to affirm the information and explanations I sent to you on December 28, 2005 when requesting an exemption from Closed Captioning for "Triad Today".

Longworth

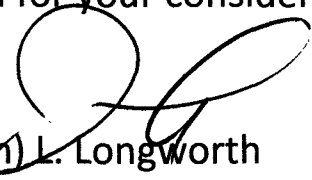
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Attached as per your request is my affirmation, including re-statements of our unique situation, and the devastating effect that closed captioning would have on "Triad Today", which remains the only regularly broadcast public service program on commercial television in our region.

Please call me if you have any questions about my affirmation. I look forward to your ultimate determination in this matter.

Thank you for your consideration.

Sincerely,


James (Jim) L. Longworth

304 Carlisle Park Drive
Kernersville, NC 27284
(336) 993-1954

Longworth

PRODUCTIONS

Affirmation of Petition for Exemption

case ID: CGB-CC-0123
Petitioner: Longworth Productions
Type: Sole Proprietorship, Producer of Public Service Programs
EIN#: 13-422-1865

Contact: Jim Longworth
304 Carlisle Park Drive
Kernersville, NC 27284
Phone: (336) 993-1954
Fax: (336) 992-1934
email: tvcreators2@aol.com

Program: *Triad Today*

Stations: WXLV abc45 and WMYV MY48

DMA: Greensboro - High Point - Winston-Salem NC

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PRODUCTIONS

I. Background

Triad Today is a thirty minute public affairs/public service program, broadcast weekly on WXLV abc45 and WMYV MY48 in the Greensboro, High Point, Winston-Salem television market. It is the *only* program of its kind broadcast on a commercial station in all of Piedmont North Carolina.

Triad Today was developed, and is produced by Longworth Productions. The series premiered in October of 2003, and has aired continuously ever since.

Each week, *Triad Today* presents vital information on a wide variety of topics, including health and prevention, education and literacy, public safety and crime prevention, economic development and job creation, environmental hazards and protection, hunger prevention programs, cultural events, and many more.

In 2005, *Triad Today* was recognized by Congress for its outstanding use of television to serve the public good (see copy of Congressional Record from May 26, 2005). *Triad Today* also received the Spectrum of Democracy Award for our commitment to public service. Moreover, *Triad Today* has become a champion for the disabled and disenfranchised populations, by presenting hundreds of segments with such organizations as the Urban League, Outreach Alliance for Babies, Second Harvest Food Bank, the Salvation Army, Crisis Control, the Red Cross, and many more.

The Commission should note that the two stations on which *Triad Today* appears are owned by the same company, but reach totally different audiences and demographics. Currently, *Triad Today* is broadcast Saturday mornings at 7:30am on WXLV, and Sunday mornings at 11am on WMYV, thus allowing us to reach the maximum number of viewers possible with our public service and community oriented information.

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Some have interpreted the FCC regulation in such a way as to suggest that airing *Triad Today* on WMYV after it has aired on WXLV constitutes a repeat broadcast. However, as was previously stated, the two stations reach entirely different audiences. Moreover, our program is non scripted, allowing guests from community organizations to speak freely and extemporaneously in presenting vital information which is often dated to that particular week (such as a health screening or food drive).

For these reasons, plus the economic and logistical burdens which would result from mandatory captioning (as stated in our original application), we are affirming our request for an exemption.

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PRODUCTIONS

II. Justification for Exemption

Triad Today is a live-to-tape public service program, and it is non scripted. As such, I explored several options for captioning, all of which would not only cause a significant economic burden on my company, but would, in the end, be inaccurate and impractical given the nature and format of *Triad Today*.

Speech Recognition technology, for example, only keys in to one voice. As moderator of *Triad Today*, the SR systems would recognize my voice. Then, I would have to spend countless hours of expensive, unbudgeted studio time, trying to re-record the spoken words of every single guest on my program so that the system could attempt to caption as many as ten to twelve different guest voices per program. I do not have the financial resources to cover the additional cost of studio time required, which could run into the thousands of dollars.

Another option is to purchase a more traditional turnkey captioning system, which would also require the purchase of additional computers, and would be slowed by first having to engage a professional transcriptionist who would listen to, then transcribe all of our non scripted conversations before we could encode his or her text file. Again, not only is this option cost prohibitive, it is also impractical and inaccurate. That's because transcriptionist are trained to "drop out" portions of audio which they deem not pertinent to the conversation. However, a transcriptionist has no experience in identifying important information being spoken by guests with regards to vital public service messages. Also, the process required by current captioning systems has a lengthy turn-around time (as is the case with Speech recognition systems) which would cause us to miss our broadcast deadlines.

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PRODUCTIONS

The third option is to totally outsource the functions described in option two. But, again, the same logistic, economic, and accuracy problems would exist.

Over the years we have consulted with various technology companies, including with CPC of Rockville Maryland, who tell me that these SR and captioning systems can cost as much as \$8,000, and even with that, there is no system on the market which could recognize more than one spoken voice at a time on a non scripted discussion program.

Also, as was previously mentioned, every system option available would require extensive post production work which would tie up studio/editing facilities for days, and at rates which I cannot afford or justify for the production of our public service program.

Longworth Productions can only afford to purchase one hour of studio time per week. Given the topical nature of our segments and availability of studio time, we tape our program on Wednesdays, then the program must be post produced and in master control by midday Friday for a Saturday morning broadcast. Again, there is no budget allocated for additional production, special effects, location taping, or purchase of specialized equipment, nor is there time to wait for the complex transcription and captioning process to be completed in a timely manner without jeopardizing our broadcast deadlines.

In addition, the stations on which *Triad Today* airs have experienced severe cutbacks even prior to the recession. These cutbacks began in the Fall of 2005, including shutting down the entire News department, laying off twenty-five employees in that operation, and selling off their captioning equipment. At that time, and since then, Longworth Productions has been informed that WXLV/WMYV would not be able to re-purchase the sophisticated systems required for closed captioning of *Triad Today*.

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PRODUCTIONS

Longworth Productions is a sole proprietorship with limited resources, and cannot afford to purchase any closed captioning devices and systems currently available, nor are those systems 100% effective and accurate in captioning non scripted discussion programs with multiple overlapping voices.

Moreover, *Triad Today* has been a break-even proposition for my company in which a limited number of rotating organizations have helped to cover our basic production costs. Were Longworth Productions required to purchase the necessary closed captioning equipment, **we would be forced to shut down production of *Triad Today*.** Under that scenario, we would, in effect, be throwing the baby out with the bath water, because **once *Triad Today* leaves the air, viewers in this market would have access to no other locally produced public service/public affairs programming.**

We have explored other possible solutions, such as seeking outside funding to pay for a Speech Recognition system, however, this area of North Carolina has been especially hard hit by the recession and its after effects, resulting in the loss of thousands of jobs. This has had a negative impact on foundations and organizations who might otherwise have donated funds for a captioning system. Also, sadly, most television advertisers in our market tend to only support highly rated news and entertainment programs, as opposed to public service programs designed to serve the needs of the community.

It is for the aforementioned reasons that Longworth Productions affirms our original request for an exemption from closed captioning of *Triad Today*.

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PRODUCTIONS

III. Summary

As stated earlier, *Triad Today* is the only locally produced public service program on commercial television in this market and throughout Piedmont North Carolina. We have broadcast our unique program every week for nearly nine years without use of captioning services, and have never received a single complaint regarding lack of technological captioning. That is because each of our public service segments which calls on viewers to attend important events or refers them to informational websites, does so by displaying the pertinent information on screen.

As such, a non hearing person who has a vital interest in knowing about a health expo, for example, will be able to see our on-screen graphics, directing him or her where to go or get more information about free health screenings.

Though both WXLV and WMYV are owned by Sinclair Broadcast Group, *Triad Today* is a non scripted, original program to each station, and not considered a repeat broadcast. By broadcasting our non scripted program on two different television stations and on two different days, we are able to reach many more disabled and disenfranchised viewers.

Thus, our viewership is diverse and so are their interests and needs, and *Triad Today* seeks to address and meet those needs on a weekly basis.

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P R O D U C T I O N S

In summary:

Triad Today is the only public service program in this market

The topics and guests we feature are time sensitive to the week of broadcast

On screen graphics inform non hearing viewers of vital community events and information

There is no budget or funding available for the purchase of a sophisticated Speech Recognition, Closed Captioning system, and even if there was, no system is adequate for capturing multiple, overlapping voices during our interviews

Off site Closed Captioning services cannot deliver *Triad Today* in time for our broadcast deadlines

Mandatory captioning would effectively take *Triad Today* off the air, and the entire Piedmont region of North Carolina would be left with no public service program.

Through this affirmation, we ask that you extend our exemption.

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P R O D U C T I O N S

Attachments

Letters from Community Organizations

Congressional Recognition

Subj: **Cancer Services on TV**
Date: 7/24/2008 3:57:44 P.M. Eastern Daylight Time
From: julie.lanford@cancerservicesonline.org
To: Tvcreators2@aol.com

Hey Jim,


I just wanted to let you know that we had a client come in because he saw the show on Sunday night. He lives at the W-S rescue mission and happened to be channel surfing. He said that he has watched the program before and that it was very informative. He came in and is now getting assistance.

Thanks so much for having us on. It makes a big difference in this gentleman's life.

Thanks!

Julie

Julie LG Lanford MPH, RD, CSO, LDN
Wellness Director, Cancer Services, Inc.
3175 Maplewood Ave.
Winston-Salem, NC 27103
(336)760-9983
(fax) (336)760-1282
www.cancerservicesonline.org

 *"To enhance the quality of life for those living with cancer and to provide the gift of life through education"*

Subj: **Thank You**
Date: 5/9/2011 7:43:32 A.M. Eastern Daylight Time
From: perry@allegraws.com
To: Tvcreators2@aol.com
Hey Jim,

On behalf of the Cystic Fibrosis Foundation and a father with a child with CF, we cannot thank you enough for allowing us to come onto your program. One of our main goals is to educate as many people as we can about Cystic Fibrosis and how it effects young adults. Your program has allowed us to reach out to many more people. Another goal of ours is to raise money for research so we can help put an end to this disease. Again, your program has allowed us to reach out to others to talk about our upcoming fundraising events.

We appreciate your time and efforts and look forward to seeing you again next year.

Perry and Kelli Clark



DESIGN • MARKETING • PRINT

Perry Clark
Allegra
5059 Country Club Road
Winston-Salem, NC 27104
(336) 655-4285 Mobile
(336) 777-8615 Work
perry@allegraws.com
www.allegraws.com



Providing free medical and dental
care to uninsured, low-income families in our community.

April 29, 2011

Mr. Jim Longworth
Triad Today
304 Carlisle Park Drive
Kernersville, NC 27284

Dear Jim:

Thank you for inviting me to appear on Triad Today. It is often frustrating to me that good news, such as volunteers at Community Care Center providing free medical services and medicines to people who can't afford it, is largely ignored in the media. You are putting public service back in commercial television. This exposure stimulates volunteerism and donation of fund to worthy causes. And for us, it helps us spread the word to those who need our services.

I know that Southern Community Bank has sponsored this program. It is a great public service and I hope that they will continue to support the program. The public needs to know of the many public service organizations that contribute so much to making our area a great place to live.

Thank you again. Please express our gratitude to Southern Community Bank.

Sincerely,

James T. Robinson
Executive Director
Community Care Center for Forsyth County Inc.

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SENIOR SERVICES

Helping Our Elderly Live With Dignity

March 15, 2012

Mr. Jim Longworth
304 Carlisle Park Avenue
Kernersville, NC 27284

Dear Jim:

Thank you again for letting us be on your program to promote our Art Show and Sale for Meals-on-Wheels. I had a number of people tell me that they saw the show and were planning to attend!

For your information we had a 27% increase over last year and raised over \$47,000! Our records are suggesting that many of the people who came through the door had never been here before, which is exactly what we wanted! It's because of partners such as you that we were able to call this event a tremendous success. Thank you very, very much for your time and flexibility in squeezing us in.

'Any time you need someone to fill a spot, please let me know. This is our 50th Anniversary Year for Meals-on-Wheels and we would love to share this wonderful story!

Best,

Patty Mead, Director, Annual Fund and Special Events





April 29, 2011

Mr. Jim Longworth
Triad Today
304 Carlisle Park Drive
Kernersville, NC 27284

Dear Jim:

We have communicated informally via email about our appearances on Triad Today, but I wanted to take the time to write a letter to you about how important Triad Today is for our community and how thankful Family Services, Inc. is to have been featured on the show over the past few years.

Triad Today is a wonderful program that provides local organizations an opportunity to share information about their services. Many nonprofits would not be able to afford such air time, but the folks at Southern Community Bank have been kind enough to sponsor groups like Family Services.

The exposure for us has been great! We have people tell our staff that they saw them on Triad Today and learned new information about our programs and services. We also have used the taped segments on our YouTube site for those who may have missed the show.

Again, thanks to you, Jim, and the wonderful people at Southern Community Bank. It's great to know that even in challenging times, there are folks in our community who are passionate about helping people. Triad Today and Southern Community help us work toward achieving our vision of "strong families in healthy communities."

Sincerely,

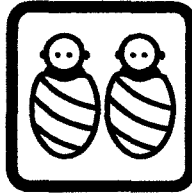
Lamaya Williams
Marketing/ Fund Raising Specialist



1200 south broad street | winston-salem, nc 27101
336-722-8173 | 336-724-6491

vision 2015 "strong families in healthy communities"

Outreach Alliance for Babies, Inc. PMB 733. 3193-C Peters Creek Parkway.
Winston Salem, NC 27127. <http://outreachalliance.org> . aquariusphyl@triad.rr.com
336 9723228



OUTREACH ALLIANCE for BABIES, Inc
"Enrich a Baby's Life"

Re: Triad Today
April 20, 2011

Triad Today, hosted by Jim Longworth, is a valuable program for the community. Outreach Alliance for Babies, Inc is a 501 c 3 nonprofit organization that provides clothing and other necessities to infants whose families are facing financial challenges. Founded in 2005 the Alliance has provided for over 1000 babies.

Outreach Alliance for Babies has been featured on Triad Today twice. The exposure on the show greatly increased our donor base. It also served as a platform for a new organization.

The program provides a much needed service to the community because it enlightens citizens about services that are available.

Sponsors of Triad Today should continue to support Jim Longworth and Triad Today.

Phyllis D. Bonds
Founder & Executive Director
Outreach Alliance for Babies, Inc

Carolina Donor Services

*A Donate Life Organization
Dedicated to maximizing the passing of the heroic gift of life
from one human being to another through organ and tissue donation.*

July 15, 2011

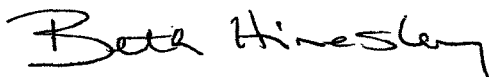
Dear Mr. Longworth,

Thank you for having Carolina Donor Services on Triad Talk Today in April, 2011. As the community relations coordinator for Carolina Donor Services, I speak to groups about the tremendous need for organ, eye and tissue donation. Triad Talk Today, sponsored by Southern Community Bank, provided an opportunity for listeners to hear about more than 111,000 U. S. citizens waiting for organ transplants. Included in that number are 3,500 North Carolinians. Listeners heard about myths and misconceptions that discourage organ donation and procedures one must take to become a legal donor.

Through the sponsorship of Southern Community Bank, we reached hundreds of people. Since the segment aired, we have seen an increase in people wanting to receive more information about donation. Our goal is to educate the public about the need for transplants. Having this outlet is incredible.

Thank you, Southern Community Bank, for your continued support of non-profit agencies and for getting information to the communities we serve.

Sincerely,



Beth Hinesley, RN
Community Relations Coordinator
Carolina Donor Services



North Carolina

Web
www.carolindonorservices.org
Public Information
(800) 200-2672

909 E. Arlington Blvd.
Greenville, NC 27858
(252) 757-0090
(252) 757-0708 fax

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Wilmington, NC 28406
(910) 799-8401
(910) 799-8402 fax



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

House of Representatives

Vol. 151

Thursday, May 26, 2005

No. 72

RECOGNIZING TRIAD TODAY

MS. FOXX. Mr. Speaker, I rise today to recognize and congratulate *Triad Today* for being awarded the Spectrum of Democracy Award for Responsible Election Coverage by the North Carolina Center for Voter Education. The program is aired in the Fifth Congressional District on Sinclair Broadcasting's WXLV/WUPN station covering the Winston-Salem/Greensboro/High Point metropolitan area.

Triad Today was created October of 2003 by veteran television broadcaster, author, and columnist Jim Longworth. It is the Piedmont Triad's only local television talk show. Its guests have included United States Senators and Congressmen, mayors and even sports celebrities like Richard Petty. But most of the time, *Triad Today*, serves the community by disseminating important information about the issues that matter most to the community — issues like healthcare, public safety and government.

But it was another kind public service for which *Triad Today* was recently recognized. During the 2004 election cycle, Jim Longworth distributed free blocks of air time on his show to scores of Congressional and Gubernatorial candidates. His action helped raised citizen awareness of candidates and issues and encouraged more people to participate in the political process. For this, Mr. Longworth and *Triad Today* were awarded the Spectrum of Democracy Award.

Mr. Speaker, the press has a responsibility to fulfill its role as the fourth estate — that is to serve as a guardian of democracy and defender of the public interest. I am pleased to congratulate *Triad Today* for its outstanding commitment to keeping the community informed.